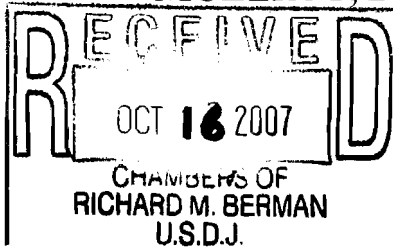


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MEMO ENDORSED October 15, 2007

Honorable Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl Street, Room 21D
New York, NY 10007

SO ORDERED:

Date: 10/16/07 Richard M. Berman
Richard M. Berman, U.S.D.J.

Re: Rebecca Viebrock vs. Michael D. Dendy d/b/a Dendy & Associates, LLC
Case No. 07 Civ. 7824
MDMC File No.: C0054-pending

Honorable Sir:

My firm represents the defendant in the above matter in which an initial pre-trial conference is scheduled for Thursday, October 18, 2007 at 9:15 a.m. I have conferred with the plaintiff's counsel, and subject to the Court's approval, the parties are requesting an adjournment of the conference. Both plaintiff's and defendant's counsel are out of state on the scheduled conference date and accordingly, are unable to attend. Accordingly, an adjournment is requested until after the defendant's responds to the complaint, or such other date as the Court may deem appropriate. The defendant's response to the complaint is currently due by November 14, 2007. No previous request for an adjournment of the initial conference has been requested. As this is a request to adjourn the initial conference, and no scheduling order has been entered, the requested adjournment will not affect any other date scheduled in the case. For the same reason, a revised scheduling order is not included with this letter. Thank you for the Court's consideration.

Respectfully submitted,

McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP

Carol A. Pisano

Carol A. Pisano

cc: Amir J. Goldstein
Attorney for Plaintiff

